

PROCEEDINGS OF THE STURGIS CITY COUNCIL

The Common Council of the City of Sturgis met in regular session starting at 6:30 p.m. on Monday, May 19, 2014 at the Erskine Building. Present: Alderpersons Jason Anderson, Mike Bachand, Branden Bestgen, David Hersrud, Marcia Johnston, Tim Potts, and Ronald Waterland. Also present: City Manager Daniel Ainslie (by phone) and City Attorney Greg Barnier (by phone for the Ordinances). Absent: Mayor Mark Carstensen and Kelly Vasknetz.

President Branden Bestgen led everyone in the Pledge of Allegiance.

Motion by Hersrud, second by Anderson and carried with all members present voting yes to approve the agenda.

Announcements:

Shawn Fisher, Ambulance Director, announced that it is National EMS week and gave a summary of the events that are happening this week in Sturgis. She also had the Council and all that were present at the Council meeting preform Hands only CPR.

City Manager Ainslie reported:

- The budget numbers for the end of April 2014 are as follows: General Fund is at 30.4%; SST 17%; Capital Imp 53%; Capital Replacement 34%; Liquor 18%; Water 26%; Wastewater 21%; Sanitation 36% and Ambulance 39%.
- The Sturgis Volunteer Fire Department requested to have a fireworks display this 4th of July.
- John Gerberding has been appointed to the Planning and Zoning Board.
- Spring Cleanup was two weeks long. There were 789 tons of rubble hauled and 948 tons of branches hauled.

Motion by Waterland, second by Potts and carried with all members present voting yes to approve the following items on the consent calendar:

- a. Consider approval of the minutes from the May 5, 2014 regular council meeting.
- b. Consider approval to set a public hearing for June 2, 2014 for Malt Beverage Renewals.
- c. Consider approval to set a public hearing for June 2, 2014 for a special events license for the Loud American at the Sturgis Armory for a wedding dance on June 7, 2014.
- d. Consideration to approve revised General & Operating Fund Balance Policy.

Motion by Johnston, second by Waterland and carried with all members present voting yes to approve the following claims with the exception of: **General** - Johnston Hardware, \$429.82, supp; **Water** - Johnston Hardware, \$41.93, supp; **Sanitary Service** - Johnston Hardware, \$22.78, repair; **Ambulance** - Johnston Hardware, \$37.82, supp.

Wages – Ambulance \$24,388.71; Attorney \$2935.10; Buildings \$814.40; Cemetery \$1998.22; City Manager \$4306.89; Community Center \$9129.90; Finance Office \$9121.16; Fire Department \$1541.45; Human Resource \$2208.94; Library \$8860.49; Liquor \$4245.72; Mayor and Council \$3391.63; Parks \$11,669.02; Planning & Permitting \$3651.41; Police \$35,458.47; Rally \$4128.30; Recreation \$2342.22; Sanitary Service \$12,864.32; Streets \$9568.83; Wastewater \$8123.41; Water \$13,738.87; Federal Withholding \$16,454.22; FICA \$12,649.12. **General** – A&J Surplus, \$19.81, repair; Daniel Ainslie, \$117.11, other; Amcon, \$381.04, merch for resale; Associated Production Co, \$575.00, rally property lease; Best Western Ramkota Inn, \$99.99, travel; Beyond Basil, \$16,148.50, supp; Bierschbach Equipment, \$85.60, repair; BH Chemical, \$478.91, supp; BH Power, \$24,729.11, util; BH Urgent Care, \$55.00, prof fee; Border States Electric, \$2529.48, repair; Caselle, \$527.99, prof fee; CHB Cooperative, \$15,991.09, supp; CEASD, \$70.00, travel; Coca Cola, \$869.25, merch for resale; Corbon Shooting Complex,

\$288.05, supp; Custom Cage, \$690.00, repair; Dakota Backup, \$288.00, prof fee; Double Star Computing, \$535.00, prof fee; Ecolab Pest, \$193.76, repair; First Interstate Bank, \$5062.68, supp; Freeman Electric, \$120.09, repair; Glover Investments, \$600.00, rental; Ken Grosch, \$90.00, other; Hills Materials, \$575.63, repair; J&L Services, \$345.00, repair; Jacobs Auto Repair, \$296.10, supp; Knecht Home Center, \$228.20, supp; Kone Inc, \$137.16, repair; Lakota Foods, \$73.48, merch for resale; Marco Inc, \$42.53, repair; Meade Co Auditor, \$6451.99, other; Meade Co Times, \$741.69, publ; Menards, \$175.04, supp; Midcontinent Communications, \$42.24, util; MDU, \$7851.54, util; Motionsoft, \$450.00, prof fee; Ben Mumm, \$35.00, supp; Neve's Uniforms, \$176.90, supp; NFPA International, \$165.00, other; Northwest Pipe Fittings, \$26.08, supp; O'Reilly Auto Parts, \$78.52, supp; Owens Interstate Sales, \$361.85, supp; Park Avenue Car Wash, \$247.80, supp; Petty Cash, \$36.67, travel; Powerplan, \$302.89, repair; Print Mark-et, \$993.45, publ; Robert Sharp & Assoc, \$606.05, publ; Rushmore Communications, \$752.00, repair; Rushmore MT Sport, \$145.82, supp; Rushmore Office, \$1836.92, supp; Sacrison Asphalt, \$183.00, supp; Schwans, \$59.07, merch for resale; Scott Peterson Motors, \$9.50, repair; SD Assn of Code Enforcement, \$25.00, travel; SD Dept of Corrections, \$265.20, other; Servall Towel, \$465.92, repair; Shopko, \$101.85, supp; Smartsign, \$222.00, supp; Sturgis Napa, \$772.42, repair; Town-N-Country Plumbing, \$373.05, supp; West Payment Center, \$121.18, prof fee; West River Electric Assn, \$497.43, util; Western Communicatoins, \$190.00, repair; Donald Whitehead, \$30.00, other; Wimactel, \$60.00, util; Wow! Business, \$502.56, util; Ziegler Building Center, \$15.99, supp; Zylstra Body, \$65.00, repair.

Special Sales Tax – SD Dept of Game, Fish & Parks, \$182,430.00, marcotte property.

Capital Improvement – American Technical Service, \$2260.00, impr; Associates Supply Co, \$7760.00, bldg; Kadrmas, Lee & Jackson, \$5343.46, bldg; Meints Residential Concrete, \$3590.40, impr; Wells Fargo Bank, \$350.00, agent fee.

Equipment Replacement Fund – Scott Peterson Motors, \$400.00, equip.

Revolving Fund Loan – Brosz Engineering, \$4740.00, other.

Liquor – Arctic Glacier USA, \$182.35, merch for resale; BH Chemical, \$224.83, repair; BH Power, \$1563.30, util; Cask & Cork, \$458.50, off sale liquor; Coca Cola, \$508.40, pop for resale; Double Star Computing, \$252.50, prof fee; Eagle Sales, \$9771.83, off sale beer; Ecolab Pest, \$103.07, repair; First Interstate Bank, \$170.93, supp; Fisher Beverage, \$4723.12, off sale beer; Johnson Western, \$15,343.92, off sale liquor; M&B Enterprises, \$136.00, snacks for resale; MDU, \$153.48, util; One Way Service Pros, \$184.72, repair; Pepsi Cola, \$276.00, pop for resale; Prairie Berry, \$1239.00, off sale liquor; Print Mark-et, \$66.23, publ; Republic Beverage Co, \$69,854.98, off sale liquor; Schade Vineyard, \$432.00, off sale liquor; SD Retailers Assoc, \$235.00, prof fee; Servall Towel, \$153.96, supp; The Homeslice Group, \$4798.00, publ.

Water – A&B Business, \$285.08, supp; BH Power, \$7712.00, util; Brosz Engineering, \$695.00, prof fee; Caselle, \$382.34, prof fee; CBH Cooperative, \$615.00, supp; Credit Collections Bureau, \$91.59, prof fee; Dakota Backup, \$2112.00, prof fee; Double Star Computing, \$12.50, prof fee; First Interstate Bank, \$279.98, supp; G&H Distributing, \$419.94, supp; Hawkins, \$45.00, supp; HD Supply Waterworks, \$1654.72, supp; Meade Co Times, \$65.44, publ; Midcontinent Testing Lab, \$151.00, prof fee; MDU, \$161.25, util; Northwest Pipe Fitting, \$76.34, supp; Pete Lien & Sons, \$74.40, supp; Pollardwater.com, \$254.64, supp; Postmaster, \$2500.00, supp; Powerplan, \$317.15, supp; Print Mark-et, \$66.23, publ; RCS Construction, \$42,967.83, prof fee; Rushmore Office, \$325.00, supp; Sacrison Paving, \$1610.00, supp; SD One Call, \$66.60, prof fee; Servall Towel, \$11.86, supp; Shopko, \$71.93, supp; Wells Fargo Bank, \$44.00, agent fee; Wow! Business, \$34.99, util.

Wastewater – BH Urgent Care, \$55.00, prof fee; Butler Machinery, \$18.12, repair; CBH Cooperative, \$14.00, supp; Double Star Computing, \$2097.75, repair; Energy Lab, \$470.00, prof fee; First Interstate Bank, \$92.34, travel; Owens Interstate Bank, \$-16.94, repair; Print-Market, \$66.23, publ; Rushmore Office, \$45.17, supp; Sturgis Napa, \$202.51, repair; Wells Fargo Bank, \$356.00, agent fees.

Sanitary Service – BH Power, \$11.50, util; Butler Machinery, \$79.27, repair; CBH Cooperative, \$114.40, supp; Double Star Computing, \$98.75, prof fee; Eddies Truck Sales, \$76.96, repair; First Interstate Bank, \$131.26, repair; Great Western Tire, \$351.76, supp; Lawson Products, \$109.01, repair; Owens Interstate Sales, \$629.17, supp; Powerplan, \$-141.80, repair; Print Mark-et, \$66.23, publ; Rushmore Office, \$679.00, supp; Sanitation Products, \$126.00, repair; Sturgis Napa, \$308.82, repair.

Ambulance – Avera Health Plans, \$6.00, ambul chrg; BH Chemical, \$252.89, supp; BH Power, \$546.82, util; CHB Cooperative, \$3210.22, supp; Coca Cola, \$25.40, supp; Double Star Computing, \$117.50, prof fee; Ecolab Pest, \$36.58, supp; Bob Eisenbraun, \$500.00, grp insur; First Interstate Bank, \$1070.77, supp; MDU, \$185.86, util; Owens Interstate Sales, \$19.99, supp; Print Mark-et, \$66.25, publ; Regional Home Medical Equip, \$373.77, supp; Rushmore Office, \$1597.31, supp; Shopko, \$47.73, supp; Smartsign, \$222.00, supp; Sturgis Napa, \$248.85, supp; Weimer's Diner, \$21.60, supp.

Motion by Potts, second by Hersrud and carried with Anderson, Bachand, Bestgen, Hersrud, Potts and Waterland voting yes, Johnston abstaining, to approve the following claims: **General** - Johnston Hardware, \$429.82, supp; **Water** - Johnston Hardware, \$41.93, supp; **Sanitary Service** - Johnston Hardware, \$22.78, repair; **Ambulance** - Johnston Hardware, \$37.82, supp.

Motion by Hersrud, second by Anderson and carried with all members present voting yes to approve a Special Events License for the Knuckle Saloon on June 13-14, 2014 at the Sturgis Fairgrounds for Wild West Days.

Motion by Waterland, second by Anderson and carried with Anderson, Bachand, Johnston, Hersrud, Potts and Waterland voting yes, Bestgen voting no, to deny a zoning variance for Steve Blake, 1410 Blacktail Drive, requesting an 8 foot zoning variance to build a roof extension onto his existing garage.

The following people spoke at the Public Hearing: Kenny Price, Paul Bisson, Dale Mack, Dave Janovy, and Norma Allen. After much discussion a motion was made by Potts, second by Waterland and carried with Bestgen, Waterland, Bachand, Hersrud and Potts voting yes and Anderson and Johnston voting no to approve a Use on Review for Rachel Price-Samson Inc. 1151 Industry Road to host temporary vendors which will be at their location during the Sturgis Motorcycle Rally with the following conditions: 1. Display only vendors, orders can be taken (no cash sales). 2. Conditional Use from August 1-10, 2014. 3. Vending hours from 8:00 am – 5:00 pm. 4. Applicant must supply two traffic control persons as needed from 8:00 am – 5:00 pm. 5. Applicant must supply one security guard within the Industrial Park premise after vending hours (5:00 pm-8:00 am). 6. Applicant must maintain and contain trash at all times. 7. Must provide at least two port-a-potties.

Motion by Johnston, second by Hersrud and carried with all members present voting yes to approve a rezoning request for Glover Investments and Harley James Roth from Highway Service to General Industrial for their property located along Otter Road between Vanocker Canyon Road and Raccoon Drive.

Motion by Potts, second by Johnston and carried with all members present voting yes to approve the following payroll changes: Community Center – Custodian part-time – Gary Meyer - \$8.00; Rudy Moravec - \$8.00. Lifeguard – Marissa Boyd, Tristan Zook - \$7.25; Swim Lesson Instructor – Nodia Lippert - \$8.75. Police Dept – Patrol Officer part-time – Devon Wilson - \$18.69 (correction). Streets Dept – Seasonal Employee – TBD - \$7.25 or \$8.00. Ambulance Dept – EMT-B – Melissa Holton - \$12.00 (\$10 during orientation); Supervisor – TBD - extra \$2.00; Paramedic – Full-time - Holly Bickel, Anni Lukesh - \$17.00 (\$15 during orientation); Part-time -

Paul Rossem, Tanner Walz - \$17.00 (\$15 during orientation); Paramedic – Alyssa Weaver – no wage change, add benefits only. Parks Dept – Seasonal Parks employee – Olaf Funell - \$7.75. Cemetery Dept – Seasonal Cemetery employee – Gage Blakeman - \$7.50.

Motion by Waterland, second by Hersrud and carried with all members present voting yes to approve a refund of \$2800 for the 2013 Sturgis Rally Vendor License Fee to CISCO Corp dba Sturgis Leather & Lace and Sturgis Shirt Shack.

Motion by Hersrud, second by Bachand and carried with all members present voting yes to approve the Mayor to sign a statement of support for ESGR (Employer Support of the Guard & Reserve).

Motion by Johnston, second by Hersrud and carried with all members present voting yes to approve the Request for Proposals for rally catering services from Beyond Basil Catering for the 2014 Sturgis Rally.

Anderson introduced the following written resolution and moved its adoption:

RESOLUTION 2014-26
RESOLUTION APPROVING PLAT

WHEREAS, the statutes of the State of South Dakota require that plats of property within the jurisdiction of the City of Sturgis be submitted to the governing body for approval before the same are recorded in the Office of the Register of Deeds; and

WHEREAS, the City of Sturgis Planning and Zoning have presented to the Common Council of the City of Sturgis a plat of the following described real property for Megan Brown:

Plat of Lot 23N-A and Lot 23N-B of The Murray Tract #1. (Formerly Lot 23N of the Murray Tract #1) Located in the SW1/4SW1/4 of Section 9, T5N, R5E, B.H.M., City of Sturgis, Meade County, South Dakota.

WHEREAS, said plat meets the requirements of the statutes in all things, now therefore,

BE IT RESOLVED by the Common Council of the City of Sturgis, South Dakota, that the within and foregoing plat is hereby approved.

Dated this 19th day of May 2014.

Published: 05-28-2014
Effective: 06-18-2014

Waterland seconded the motion for the adoption of the foregoing resolution with all members present voting yes and the resolution was declared passed and adopted.

Potts introduced the following written resolution and moved its adoption:

RESOLUTION 2014-27
RESOLUTION APPROVING PLAT

WHEREAS, the statutes of the State of South Dakota require that plats of property within the jurisdiction of the City of Sturgis be submitted to the governing body for approval before the same are recorded in the Office of the Register of Deeds; and

WHEREAS, the City of Sturgis Planning and Zoning have presented to the Common Council of the City of Sturgis a plat of the following described real property for SRP Properties, LLP:

Plat of Lot SRP-1, SRP-2 and SRP-3 of the Extension of Murray Tract #1, Formerly Lots 49, 50, 50B, 51B, 61B and 61R of the Extension of Murray Tract #1. Located in the SW1/4SW1/4, of Section 9, T.5N., R.5E., B.H.M., City of Sturgis, Meade County, South Dakota.

WHEREAS, said plat meets the requirements of the statutes in all things, now therefore,

BE IT RESOLVED by the Common Council of the City of Sturgis, South Dakota, that the within and foregoing plat is hereby approved.

Dated this 19th day of May 2014.

Published: 05-28-2014

Effective: 06-18-2014

Waterland seconded the motion for the adoption of the foregoing resolution with all members present voting yes and the resolution was declared passed and adopted.

Johnston introduced the following written resolution and moved its adoption:

**RESOLUTION 2014-28
RESOLUTION APPROVING PLAT**

WHEREAS, the statutes of the State of South Dakota require that plats of property within the jurisdiction of the City of Sturgis be submitted to the governing body for approval before the same are recorded in the Office of the Register of Deeds; and

WHEREAS, the City of Sturgis Planning and Zoning have presented to the Common Council of the City of Sturgis a plat of the following described real property for City of Sturgis:

Plat of Lot H1 of the SW1/4SW1/4 of Section 15, T5N, R5E, B.H.M., City of Sturgis, Meade County, South Dakota.

WHEREAS, said plat meets the requirements of the statutes in all things, now therefore,

BE IT RESOLVED by the Common Council of the City of Sturgis, South Dakota, that the within and foregoing plat is hereby approved.

Dated this 19th day of May 2014.

Published: 05-28-2014

Effective: 06-18-2014

Waterland seconded the motion for the adoption of the foregoing resolution with all members present voting yes and the resolution was declared passed and adopted.

Hersrud introduced the following written resolution and moved its adoption:

**RESOLUTION 2014-29
RESOLUTION APPROVING PLAT**

WHEREAS, the statutes of the State of South Dakota require that plats of property within the jurisdiction of the City of Sturgis be submitted to the governing body for approval before the same are recorded in the Office of the Register of Deeds; and

WHEREAS, the City of Sturgis Planning and Zoning have presented to the Common Council of the City of Sturgis a plat of the following described real property for Scott Peterson:

Plat of Lot 1, Lot 2, and Lot 3 of Vanocker Junction Subdivision Formerly Lot 8C of Vanocker Subdivision and Lot BR-3 of Vanocker Canyon Meadows Subdivision, All the above is located in the W1/2SW1/4 of Section 15, T.5N., R.5E., B.H.M., City of Sturgis, Meade County, South Dakota.

WHEREAS, said plat meets the requirements of the statutes in all things, now therefore,

BE IT RESOLVED by the Common Council of the City of Sturgis, South Dakota, that the within and foregoing plat is hereby approved.

Dated this 19th day of May 2014.

Published: 05-28-2014

Effective: 06-18-2014

Bachand seconded the motion for the adoption of the foregoing resolution with all members present voting yes and the resolution was declared passed and adopted.

Motion by Waterland, second by Johnston and carried with all members present voting yes to approve first reading of Ordinance 2014-08 – Title 12 – General Nuisances.

Motion by Waterland, second by Johnston and carried with all members present voting yes to table first reading of Ordinance 2014-09 – Title 3 – Licensing and Regulations of Alcohol, Malt Beverage and Drinking Establishments.

Any other business:

Councilor Bachand would like the City to have their own Malt Beverage license.

Councilor Waterland would like to have City Staff put out a Request for Proposal to Engineering firms to come up with a 5 to 10 year drainage, storm sewer plan for the City.

Councilor Anderson thanked the Water Department for a job well done on fixing the water line in the Industrial Park.

Motion by Johnston, seconded by Waterland and carried with all members present voting yes to adjourn the meeting at 9:02 pm.

ATTEST: _____
Fay Bueno, Finance Officer

APPROVED _____
Branden Bestgen – President of the Council

Published once at the total approximate cost of \$268.77.